

IPW/RCE

Request For Continued Examination (RCE) Transmittal Address to: Mail Stop RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	<i>Patent & Trademark Office</i>	<i>APR 28 2005</i>	<i>JC104</i>
	<i>Application Number</i>	10/814,512	
	<i>Filing Date</i>	4/1/2004	
	<i>First Named Inventor</i>	KERBER	
	<i>Art Unit</i>	2815	
	<i>Examiner Name</i>	RICHARDS	
<i>Attorney Docket Number</i>	20-010-DIV		

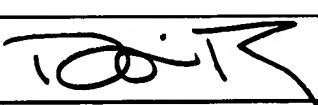
This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).
 - a. Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
 - i. Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
 - ii. Other **APPLICANT REQUESTS NON-ENTRY OF THE AFTER FINAL RESPONSE FILED MARCH 29, 2005**
 - b. Enclosed

i. <input checked="" type="checkbox"/> Amendment/Reply	iii. <input type="checkbox"/> Information Disclosure Statement (IDS)
ii. <input type="checkbox"/> Affidavit(s)/Declaration(s)	iv. <input type="checkbox"/> Other _____
2. **Miscellaneous**
 - a. Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
 - b. Other _____
3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
 - a. The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 50-1147 I have enclosed a duplicate copy of this sheet.

i. <input type="checkbox"/> RCE fee required under 37 CFR 1.17(e)	04/28/2005 SZEWDIE1 00000123 10814512
ii. <input type="checkbox"/> Extension of time fee (37 CFR 1.136 and 1.17)	01 FC:1801 790.00 OP
iii. <input type="checkbox"/> Other _____	
 - b. Check in the amount of \$ 790 is enclosed
 - c. Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

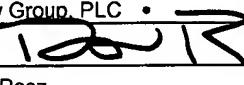
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED			
Name (Print/Type)	David G. Posz	Registration No. (Attorney/Agent)	37,701
Signature		Date	28 April 2005

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)		Date
Signature		

TRANSMITTAL FORM APR 28 2005 <small>(to be used for all correspondence after April 28, 2005)</small>		Application Number	10/814,512
		Filing Date	4/1/2004
		First Named Inventor	KERBER
		Art Unit	2815
		Examiner Name	RICHARDS
Total Number of Pages in This Submission		Attorney Docket Number	20-010-DIV

ENCLOSURES (Check all that apply)					
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance communication to (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <small>Request for Continued Examination</small>			
		Remarks			
		SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
		Firm Name	Posz Law Group, PLC • 		
		Signature			
		Printed name	David G. Posz		
		Date	28 April 2005	Reg. No.	37,701

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Signature			
Typed or printed name		Date	



Pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818). FEE TRANSMITTAL For FY 2005		Application Number 10/814,512 Filing Date 4/1/2004 First Named Inventor KERBER Examiner Name RICHARDS	
<input type="checkbox"/> Applicant Claims small entity status. See 37 CFR 1.27		Art Unit 2815	
TOTAL AMOUNT OF PAYMENT	(\$) 790	Attorney Docket No. 20-010-DIV	

METHOD OF PAYMENT (check all that apply)

Check None Other (please identify):

Deposit Account Deposit Account Number: **50-1147** Deposit Account Name: **Posz Law Group, PLC**

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

Charge fee(s) indicated below

Charge any additional fee(s) or underpayments of fee(s)
under 37 CFR 1.16 and 1.17 Credit any overpayments

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

<u>Application Type</u>	FILING FEES		SEARCH FEES		EXAMINATION FEES		<u>Fees Paid (\$)</u>
	<u>Fee (\$)</u>	<u>Fee (\$)</u>					
Utility	300	150	500	250	200	100	\$
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	160	80	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description

Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent

Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent

Multiple dependent claims

<u>Total Claims</u>	<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>	<u>Multiple Dependent Claims</u>	
	<u>- 20 or HP =</u>	<u>x</u>	<u>=</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>

HP = highest number of total claims paid for, if greater than 20

<u>Indep. Claims</u>	<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
	<u>- 3 or HP =</u>	<u>x</u>	<u>=</u>

HP = highest number of independent claims paid for, if greater than 3

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$ (\$ for small entity)

for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41 (a)(1)(G) and 37 CFR 1.16(s).

<u>Total Sheets</u>	<u>Extra Sheets</u>	<u>Number of each additional 50 or fraction thereof</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
<u>- 100 =</u>	<u>/ 50 =</u>	<u>(round up to a whole number) x</u>	<u>=</u>	<u>Fees Paid(\$)</u>

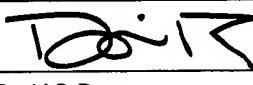
4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other: Request for Continued Examination

790

SUBMITTED BY

Signature		Registration No. (Attorney/Agent) 37,701	Telephone (703) 707-9110
Name (Print/Type)	David G. Posz		Date 28 April 2005



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: KERBER

Serial No.: 10/814,512

Filed: 4/1/2004

Title: SELF-ALIGNED JUNCTION
PASSIVATION FOR
SUPERCONDUCTOR INTEGRATED
CIRCUIT FABRICATION

Atty. Dkt.: 20-010-DIV

Art Unit: 2815

Examiner: RICHARDS

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Window, Mail Stop AF
Randolph Building
401 Dulany St.
Alexandria, VA 22314

Date: April 28, 2005

RESPONSE UNDER 37 CFR 1.114

Sir:

In response to the final office action mailed February 3, 2005, Applicant submits herewith a Request for Continued Examination specifically requesting non-entry of the After Final response filed March 29, 2005 but not entered in accordance with the Advisory Action mailed April 13, 2005. Applicants provide the present submission under 37 C.F.R. 1.114 and request consideration of the following amendment and remarks:

A Listing of Claims begins on page 2 of this paper.

Remarks begin on page 6 of this paper.